

**Fairbanks Police
Department**

TRESPASS LETTER OF CONSENT



**911 Cushman St.
Fairbanks, AK 99701**

Phone: (907)450-6500

ALASKA STATUTES

Sec. 11.46.320. Criminal trespass in the first degree.

(a) A person commits the crime of criminal trespass in the first degree if the person enters or remains unlawfully

(1) on land with intent to commit a crime on the land; or

(2) in a dwelling.

(b) Criminal trespass in the first degree is a class A misdemeanor.

Sec. 11.46.330. Criminal trespass in the second degree.

(a) A person commits the crime of criminal trespass in the second degree if the person enters or remains unlawfully

(1) in or upon premises; or

(2) in a propelled vehicle.

Sec. 11.46.350. Definition:"enter or remain unlawfully" means to

(1) enter or remain in or upon premises or in a propelled vehicle when the premises or propelled vehicle, at the time of the entry or remaining, is not open to the public and when the defendant is not otherwise privileged to do so;

(2) fail to leave premises or a propelled vehicle that is open to the public after being lawfully directed to do so personally by the person in charge; or

(3) enter or remain upon premises or in a propelled vehicle in violation of a provision in an order issued or filed under [AS 18.66.100](#) - 18.66.180 or issued under former [AS 25.35.010](#)(b) or 25.35.020.

FAIRBANKS POLICE DEPARTMENT
911 CUSHMAN ST
FAIRBANKS, ALASKA 99701

AFFIX
STAMP
HERE

What is a Trespass Letter of Consent?

A Trespass Letter of Consent is a document which allows a police officer to take enforcement action on your behalf without first contacting you.

Police Officers do not normally have the authority to go onto private property, which is not open to the public, and remove individuals or request them to leave without the consent or authority of the property owner. If an officer observes someone on private property when the business is closed, or a problem is reported by someone who does not have the authority to sign a trespass complaint, the police department must contact the person who is legally responsible for the property.

A Trespass Letter of Consent gives Fairbanks Police Department Officers permission to act on behalf of the property owner or manager in trespass situations.

Officers who observe trespassers on private property can address the problem immediately, rather than having to wait, contact a property owner or manager, if one can be located, or take no action at all.

What happens if you arrest someone based on my signed letter?

In some cases, officers are able to resolve trespass complaints without arresting the involved subject. However, there are situations where the officer has no choice but to cite or arrest an offender. In those instances, you will be expected to be available for any resulting court action.

What happens if I change my mind or sell my property?

If the status of your property changes in any way, we ask that you notify us as soon as possible and arrange for your trespass letter to be updated or removed from our files. If there are no changes, a renewal letter will be sent to you annually.

How do I put a letter on file?

If a Trespass Letter of Consent (TLC) would be helpful to you, complete the form included with this brochure and return it to the Fairbanks Police Department. The original will be retained on file with FPD, please make a copy for your records.

What else do I need to do?

In addition to your consent letter, your property should be posted with "No Trespass" signs. These signs should not include any language specific to loitering.



Fairbanks Police Department
911 Cushman St.
Fairbanks, AK 99701

Phone: (907)450-6500
Fax: (907)450-6595
Email: fpd@ci.fairbanks.ak.us

For Office Use Only

Street Name _____

Date Received _____ Entry Date/Initials _____

TRESPASS LETTER OF CONSENT

I, _____ Name _____

_____ Mailing Address _____

_____ City/State/Zip Code _____

_____ Home Phone / Work Phone / Cell Phone _____

Being the (Check the appropriate block):

Property Owner

Lessee _____ Business Name _____

Manager _____ Business Name _____

Other person having lawful control of premises by _____ tenancy, official position, or other legal relationship (Please explain briefly: _____)

_____ of the premises located at: _____

_____ Street Address _____

do hereby designate each and every police officer, now and hereafter, employed by the City of Fairbanks as my agent and representative for the purpose of enforcing state statutes AS11.46.320 and AS18.66.100. This authorization shall continue in full force and effect until such time as it is revoked in writing or expires 1 year from signed date.

Dated this _____ day of _____, 20____

Signature _____ Printed Name _____

Emergency Contact Information:

_____ Name _____ Title _____

_____ Home Phone / Work Phone / Cell Phone _____